

REMARKS

Applicants again request formal acknowledgement of the claim of foreign priority and receipt of the certified copy of the priority document. Acknowledgement was previously requested in the Amendment dated October 31, 2005, and in the Response dated June 12, 2006.

The Examiner's indication of allowable subject matter in Claims 5-8, 14-17, 19, and 24-27 is noted with appreciation. Claims 5, 6, 8, 12, 14, 15, 17, 19, 24, 25, and 27 have been rewritten in independent form, thereby placing them in condition for allowance. Claims 7, 16, and 26 have been retained in dependent form, being dependent from allowable Claims 6, 15, and 25, respectively. Newly presented Claims 42-45 depend from independent Claim 29 and are based on previous Claims 6-9.

As to the previously presented independent claims (Claims 1, 10, 20, and 29), and their respective dependents not addressed directly or indirectly above, Applicants respectfully request reconsideration of the outstanding rejection.

Applicants initially observe that the primary reference to Eitan fails to teach a silicon "nitride dots charge trapping layer 54" as asserted in the rejection. Rather, as was pointed out in the Response dated June 12, 2006, Eitan

discloses that layer 54 is a silicon dioxide layer with buried polysilicon islands 57.

As the rejection thus mischaracterizes the teachings of the primary reference, Applicants respectfully submit that rejection is unfounded. Applicants would additionally observe with respect to Taira, however, that the rejection seems to confuse the concept of layer thickness or physical height and that of "barrier height" as recited in the claims. The concepts are quite distinct, as is well understood in the art.

Accordingly, in view of the amendments and remarks presented herein, Applicants respectfully request withdrawal of the outstanding rejections and favorable reconsideration of this application.

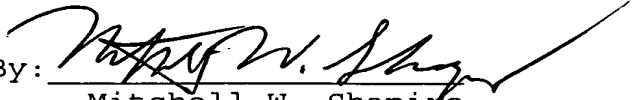
The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and

has not been requested separately, such extension is hereby requested.

Respectfully submitted,

MWS:sjk

Miles & Stockbridge P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

By: 
Mitchell W. Shapiro
Reg. No. 31,568

February 28, 2007